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November 28, 2022

**VIA ECF**

Hon. Michael A. Shipp, U.S.D.J.  
Clarkson S. Fisher Federal Building  
and U.S. Courthouse, Room 5000  
402 E. State Street  
Trenton, New Jersey 08608

Re: *UMG Recordings, Inc. et al. v. RCN Telecom Services, LLC et al.*  
Civil Action No. 19-17272 (MAS) (TJB)

Dear Judge Shipp:

We represent Plaintiffs in this action. We submit this letter on behalf of all parties pursuant to the Court's Text Order of November 17, 2022 directing the submission of a joint case status letter with regard to the above-referenced action. *See* ECF No. 237.

This case is in fact discovery but does not currently have a case management schedule in place. On December 30, 2021, the parties raised a complex set of document-related discovery disputes with Magistrate Judge Bongiovanni. On February 14, 2022, Magistrate Judge Bongiovanni ordered that the prior fact discovery deadline would be "extended and reset" after the parties' disputes were resolved. ECF No. 202. On May 12, 2022, Magistrate Judge Bongiovanni also ordered that fact depositions be stayed. *See* ECF No. 216. The parties' disputes have been fully briefed since July 13, 2022.

Thus, the parties are respectfully waiting for resolution of their pending discovery disputes. Once the Court resolves those disputes and lifts the stay of fact depositions (or as otherwise directed by the Court), the parties will meet and confer regarding a case management schedule.

Respectfully yours,

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

*s/ Thomas R. Curtin*

THOMAS R. CURTIN

cc: All counsel (via ECF)